IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

FRIDAY, THE 22ND JUNE 2007 / 1ST ASHADHA 1929

WP(C).No. 11373 of 2007(D)

PETITIONER:

THE PRESIDENT, HEALTH SERVICES MAHILA SWASTH SANGH UNION, KOZHA UNIT, KOZHA P.O., KOTTAYAM DISTRICT.

BY ADV. SRI.M.RAMESH CHANDER
SRI.SIJI ANTONY

RESPONDENTS:

----

1. THE BLOCK PANCHAYATH PRESIDENT, UZHAVOOR BLOCK PANCHAYATH OFFICE, KOZHA.P.O., KOTTAYAM.

2. THE DISTRICT MEDICAL OFFICER, DISTRICT MEDICAL OFFICE OF HEALTH, COLLECTORATE, KOTTAYAM.

3. STATE OF KERALA, REPRESENTED BY THE PRINCIPAL SECRETARY TO LOCAL SELF GOVERNMENT, SECRETARIAT, THIRUVANANTHAPURAM.

R1 BY ADV. SRI.P.C.HARIDAS

R2 & R3 BY GOVERNMENT PLEADER (SHRI K.J. MOHAMMED ANZAR)

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 22/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K. M. JOSEPH, J.

W.P.C. NO. 11373 OF 2007 D

Dated this the 22nd June, 2007

JUDGMENT

Petitioners complain of non-compliance with Ext.P2 Circular and according to them, under the same, the members of the petitioner Union are entitled to be appointed. Petitioner claims to be the President of Health Services Mahila Swasth Sangh Union, which is a voluntary Association under the supervision of the Health and Family Welfare Department, Government of Kerala. They are claiming right to be posted as Cleaning Staff/Part Time Sweeper in Government Hospitals which are under the respondent Panchayat. Their case is that preference should be given to the Government M.S.S. Volunteers in the matter of appointment to temporary posts.

2. A Counter Affidavit has been filed by the first respondent Panchayat. Counsel points out that Ext.P5 is a petition filed before the Government. In such circumstances, I feel that a decision can be ordered to be taken on Ext.P5 with

notice to the respondent Panchayat also. Accordingly, the Writ Petition is disposed of directing the third respondent to consider and take a decision on Ext.P5 in accordance with law, after affording an opportunity of hearing to the petitioner as well as respondents 1 & 2, within a period of six weeks from the date of receipt of a copy of this Judgment.

K. M. JOSEPH, JUDGE

kbk.